

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 30, 2005 PLANNING COMMISSION MEETING

**P.A.S.:** Miscellaneous No. 05005

**PROPOSAL:** To amend the text of the Land Subdivision Ordinance in 26.11.032 and 26.31.015

**CONCLUSION:** In conformance with the Comprehensive Plan.

**RECOMMENDATION:**

Approval

### **GENERAL INFORMATION:**

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

Examine ways of simplifying the development regulations and supporting documentation to encourage a broader understanding of planning concepts and their relevance to neighborhoods' and businesses' continuity and viability. (F-152)

As these are applied in the future, consideration should be given to the continued use and possible expansion of "fast track" incentives. These incentives allow development proposals to be reviewed, and possibly approved in a shorter period of time than might normally occur. (F-153)

### **HISTORY**

**February 14, 2005** Miscellaneous #04014 to amend the subdivision ordinance was adopted by City Council.

### **ANALYSIS:**

1. This amendment to Section 26.11.032 is to clarify that a preliminary plat is not required when a community unit plan, planned unit development, special permit or use permit is submitted that contains all necessary information for a subdivision.
2. This amendment will eliminate the need to request a waiver to the preliminary plat when the tract to be subdivided is included in a community unit plan, planned unit development, special permit or use permit.

### **Proposed Language**

#### **26.11.032 Filing Preliminary Plat for Planning Commission Hearing.**

Except as provided in Section 26.11.050(b) and Section 26.31.015, a preliminary plat shall be required for all subdivisions. The subdivider shall file with the Planning Director copies of the preliminary plat in the form hereinafter provided, together with copies of the

owners' statement and accompanying data, the number of copies to be determined by the Planning Director. The preliminary plat shall be deemed filed on the date said plat and accompanying data is received in the Planning Director's office. ~~When a change of zone, special permit, use permit, or planned unit development is required, such application shall accompany the filing of the preliminary plat.~~

The preliminary plat may be scheduled for a hearing by the Planning Commission provided:

(a) The subdivider files a complete preliminary plat as required in Section 26.15.020 at least four Thursdays prior to the Planning Commission meeting; and

(b) The Planning Director determines that the preliminary plat substantially complies with the requirements of this title and adopted design standards.

However, no hearing shall be held by the Planning Commission until notice of said hearing has been given as provided in Section 26.11.036.

**26.31.015 Coordinating Subdivision and Community Unit Plan, Planned Unit Development, Special Permit, and Use Permit.**

A preliminary plat is not required ~~W~~ whenever the tract to be subdivided is included in a community unit plan, planned unit development, special permit, or use permit. ~~±~~ The approval of said community unit plan, planned unit development, special permit or use permit shall require that the tract to be subdivided conform to the requirements of this title, except that the approval may include a provision varying or modifying the requirements of this title so as to permit the coordinated development of a subdivision and a community unit plan, planned unit development, special permit, or use permit; provided the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of the regulations preserved.

The Planning Director shall be authorized to approve final plats submitted in accordance with

a community unit plan, planned unit development, special permit, or use permit notwithstanding the fact that such plats require modifications to the requirements of this title if such modifications were specifically approved at the time of approval of the community unit plan, planned unit development, special permit, or use permit.

Prepared by:

Tom Cajka  
Planner

**DATE:** March 10, 2005

**APPLICANT:** Director of Planning, Marvin S. Krout

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